

SECOND TERM WILL PROVE ACCEPTABLE TO PRESIDENT TAFT

Will Not Step Aside In Favor of Roosevelt and Will Run Again if His Party Makes the Demand.

By Associated Press.
BEVERLY, Mass., Sept. 16.—The publication of a story in certain newspapers, purporting to come from Beverly, announcing that Taft had decided to step aside as a presidential candidate in 1912 to make way for Roosevelt, brought many inquiries at the summer capital today. It was decided not to dignify the story, which was reported to be

without any foundation whatever, with a statement. It can be stated that there has been no change in the president's attitude toward a second term since he told a number of friends a few months ago that he would accept the second nomination if the party desired it. The president said he is not considering his chances of a second term one way or the other, at this time.

ACTOR SUEED FOR THE LIBRETTO OF "LONESOME TOWN"

SAN FRANCISCO, Sept. 16.—C. William Kolb, of the defunct factory of Kolb and Dill, is the defendant to a suit instituted in the superior court yesterday by Martha A. Brusie, widow of Judson C. Brusie.

Brusie wrote the libretto of "Lonesome Town," with which Kolb and Dill convulsed local theatergoers in the good old days, and it appears from the complaint that he delivered the manuscript to Kolb "as his agent" and entered into an agreement whereby he was to get 3 per cent of the gross receipts of its production as a royalty. Brusie died June 10, 1908, leaving no estate, save the libretto of the play mentioned. Mrs. Brusie says that no royalties were ever paid after his death, and that Kolb has refused to return the manuscript to her.

The immediate cause of the filing of the suit was Kolb's announcement of his intention to start for New York September 15. Mrs. Brusie had no idea of letting him go with "Lonesome Town" in his possession, and yesterday obtained a restraining order from Judge Seawick which will keep the libretto in San Francisco, at least until the action has been tried. The plaintiff's prayer is for the recovery of the manuscript, for any back royalties that may be due and for general damages.

MANY INJURED WHEN TWO TRAINS MEET HEAD ON

By Associated Press.
HOLT, Mo., Sept. 16.—One man was killed and eighteen persons injured when two passenger trains met in a head-on collision on the Chicago, Burlington and Quincy railroad a mile north of here early tonight. The misunderstanding of the orders by one of the train crews is said to be responsible for the wreck. It is not believed that any of the eighteen injured will die.

ABE ATTELL WINS NO DECISION BOUT

By Associated Press.
MILWAUKEE, Wis., Sept. 16.—Abe Attell won a ten-round no-decision bout from Charlie White here tonight. Attell's fast work in the last two rounds gave him the decision, and until that time White had a good chance to break even with the champion.

ARIZONA MILITIA IS IN THE FIELD

By Associated Press.
CAMP ATASCADERO, Sept. 16.—The arrival of the Arizona National guard tonight and the first active field operations by the regulars marked the second day of army maneuvers. Problems will be given today for battalion commands.

ARRESTED FOR HIGH GRADING IN NOME DISTRICT

By Associated Press.
SEATTLE, Sept. 16.—Joan Tiber, a Norwegian laborer, was arrested today charged with stealing \$14,345 from the sluic boxes of the Pioneer Mining company at Nome. Tiber worked for the company last summer and fell under suspicion. When charged with the theft he answered all questions with such frankness that suspicion was allayed and he was re-employed. Tiber arrived from Nome a few days ago. After his arrival he sold the United States assay office gold slugs to the value of \$14,345 and exchanged a check which he received for \$9,000 for a draft on a Portland bank for \$5,345 cash. He took the name of Andrew Jansen in this city. He was about to leave for San Francisco when arrested. He will be extradited to Nome.

TWO BUSINESS MEN MURDERED ON HUNTING TRIP

By Associated Press.
GLOBE, Ariz., Sept. 16.—Two bodies, identified as Fred Kibbe and George Hill, Globe business men who left on a hunting trip Monday, were found today in an abandoned stage station on the Fort Apache road forty-three miles northeast of here. Both had been shot through the head and it is practically certain they were murdered. Sheriff Thompson, with Indian trappers, left today to search for two former United States cavalrymen in the White mountains. It is supposed that robbery was the motive of the crime.

SILVER MARKET.

SAN FRANCISCO, Sept. 16.—Silver, 53 1/2.

RESIGNATION OF BALLINGER DEPENDS ON THE CABINET

If His Official Colleagues Back Him Up He Will Retain Office, Otherwise He Will Resign.

By Associated Press.
WASHINGTON, Sept. 16.—Whether Ballinger's resignation as secretary of the interior will follow immediately after the cabinet meets on September 26, to attend which he is now enroute from Seattle, or whether he will retain his position indefinitely, at least until after the delivery to congress of the reports of the committee that investigated his stewardship of the public domain, depends now upon the attitude of his cabinet associates.

Ballinger is coming to Washington, his friends say, wholly unconscious of any act on his part for which he should be condemned, and has determined to force his chief and his official colleagues to be in effect his judges. If they concur in the view of the attitude of Taft that the accused secretary shall be sustained as an innocent and persecuted man, he will retain his position, but if they fail to back him up he will resign. That this is Ballinger's position was learned today.

SUIT FILED TO CONTEST WILL OF WEALTHY WOMAN

Alleged That Undue Influence Was Directed Against Mind of Woman to Secure Her Fortune.

By Associated Press.
SAN DIEGO, Cal., Sept. 16.—A suit was filed in the superior court today to contest the will of Mrs. Harriet P. Thurston, who died at Newburyport, Mass., recently. She left \$150,000 to Mrs. Katherine Tingley, head of the theosophical organization at Point Loma, Cal., and the will is being contested by George L. Patterson, son of Mrs. Thurston. The complaint alleges a conspiracy and undue influence. Mrs. Thurston was 74 years old. Her estate is estimated, according to the contestant, to be worth between four and seven hundred thousand.

COMEDY FILM AT BUTLER TODAY IS CHUCK FULL OF LAUGHS.

The management of the Butler theater informs us that they have received many compliments on the new arrangement of seats at the popular little playhouse, and well they might, for now one can see from any part of the house without interference. Mr. Goodfriends takes great interest in the comfort of the patrons so that they will always look forward to coming again. The program for today is as follows: "A Short-lived Triumph" is a comedy which effectively tells the story of one who believed himself sufficiently sure of his ground to prevent any difficulty that may arise. "Shorty at the Seashore" is a Lubin comedy taken at Atlantic City, depicting poor Shorty, a much abused gardener who goes to the seashore for his vacation, and the trials and tribulations he is compelled to endure. "Under the Old Apple Tree" is one of those feature Vitagraph comedies which proves that many unexpected things can happen under the old apple tree. There is a vein of pathos running throughout which serves to make it more interesting and the closing scene where the ped-

BRIEFS IN THE FRANK GOLDEN CASE SUBMITTED

GOLDEN ATTACKS JURISDICTION OF COURT—DECISION THURSDAY.

A motion in the case of the state of Nevada against Frank Golden, who is under indictment charged with embezzlement, in connection with the affairs of the late Nye and Ormsby County bank, was submitted this afternoon before Judge Averill, attacking the jurisdiction

of the court. The motion was submitted on briefs by both the district attorney and counsel for Golden. Golden claims that the law of 1907, under which he was indicted, was supplemented by the law of 1909, and that there is no statute under which he can be tried. Judge Averill announced that he would make his ruling next Thursday afternoon.

Two years later she married Clark Thurston, an official of Mrs. Tingley's organization; that Mrs. Tingley induced them to marry, both being infirm. It is asserted that the will was not signed in the presence of the witnesses whose names appear. It is alleged that for more than five years prior to the time of her death Mrs. Thurston was afflicted with disease both in body and mind and was so feeble that she was not competent to attend to the ordinary affairs of life. It is alleged that Mrs. Tingley, with the aid of several of her associates, took advantage of Mrs. Thurston's condition to induce her to make a legacy to the head of the Universal brotherhood, as Mrs. Tingley's cult is styled.

of the court. The motion was submitted on briefs by both the district attorney and counsel for Golden. Golden claims that the law of 1907, under which he was indicted, was supplemented by the law of 1909, and that there is no statute under which he can be tried.

WELL KNOWN PRIEST DYING OF HICCUGHS

OAKLAND, Cal., Sept. 16.—Rev. Father Thomas McSweeney, pastor of St. Francis De Sales Catholic church of this city for the last twenty-five years, and one of the best known priests in the West, is reported to be dying as a result of an attack of hiccoughs.

Fresh milk and cream at the Metropolitan market. 9-10-11.

Some say the time is not propitious for pushing prohibition.

CLAY POLITICIANS OF NEW YORK GATHER TO CONFER WITH TEDDY

Resolution Introduced Disapproving of Roosevelt Is Tabled By His Supporters.

By Associated Press.
NEW YORK, Sept. 16.—County politicians from all parts of the state gathered today at Roosevelt's editorial offices to tell him where they stand in the fight now within the Republican party. The colonel said he had nothing to say tonight as a result of his talk with the visitors. George Cromwell, president of the Borough of Richmond and a member of the Republican state committee, was the only one who did not hesitate to say where he stood. "I am going to vote against Roosevelt," he said. "I have taken that resolution after thinking it over carefully, and I hear nothing but condemnation from my people of Staten Island." Cromwell's stand provoked comment, as he has often spoken of friendship for Roosevelt which dated back to their boyhood days.

publican committee unanimously re-elected Lloyd Griscom president tonight. Adam Gruber, the assembly district leader, went on record against Roosevelt, offering the following resolution: "Resolved, that the New York county committee of New York disapprove as unjust and dangerous to the liberties of the people the utterances of ex-President Roosevelt with respect to the judges of the United States supreme court and court of appeals." With a shot of disapproval the resolution was tabled and the meeting adjourned.

The committeemen cheered Griscom's declaration that it was the duty of the Republicans of New York county to "uphold the hand of that great man in the White House, Hon. William Taft."

TRAFFIC AGREEMENT BY WESTERN PACIFIC

SAN FRANCISCO, Sept. 16.—Under a traffic interchange agreement entered into between the Western Pacific and Santa Fe railroads, a through rate will be quoted on freight from all points along the Western Pacific from Elko, Nevada, to Stockton, Cal., and, continuing along the Santa Fe tracks, as far east in the southern territory as El Paso, Texas.

H. M. Adams, representing the Western Pacific as freight traffic manager, and Edward Chambers, assistant freight agent of the Santa Fe, signed the agreement.

The Santa Fe reaches only as far north in the western territory as Stockton and the Western Pacific runs through Utah and northern Nevada to Oakland, Cal. By the new agreement north-bound freight will be moved over the Santa Fe tracks to Stockton, from which point the other lines will take it to Sacramento, Oroville and the Nevada sections, under a uniform rate. South-bound freight will go through the San Joaquin valley to Los Angeles and Arizona and Texas points, via the Santa Fe.

Negotiations are now pending between the Western Pacific and the North Pacific Steamship company to effect a similar agreement for the handling of freight between this point and Puget sound.

CONTESTS THE NOMINATION OF J. E. McNAMARA

**JAMES TIMLIN REQUESTS ORDER
OF COURT FOR RECOUNT
OF BALLOTS.**

James A. Timlin today contested the nomination of J. E. McNamara as the Democratic candidate for the office of county clerk. Both Timlin and McNamara were candidates for the nomination at the primaries of the party, and the official count gave the nomination to McNamara with 285 votes to his credit. Timlin received 279, six less than his opponent. Timlin asks that the ballots from the various county precincts be counted and any errors, omissions or wrongful acts be corrected. The matter will come up before Judge Averill in the district court, who will decide whether Timlin is entitled to a recount, under the primary election laws. If so the count will be held under the supervision of the court, and not by the county commissioners.

FOUR STORY FALL NEVER FAZED HIM

Frank Archer, a laborer who lives at 3427 Nineteenth street, San Francisco, performed an acrobatic feat that would have filled with envy a circus performer when he fell four stories down a wide elevator shaft at the Y. M. C. A. building, Leavenworth street and Golden Gate avenue, and calmly walked away without even a limp to show the experience was unusual to him.

Archer was working on the fourth floor when he lost his balance and fell backward down the shaft. Other men near by witnessed the accident, and there was a yell of horror and a rush to the basement to aid the supposed fatally injured man. Archer whirled over a number of times and alighted on his feet, and then fell full length on the ground.

Before anyone could reach him the man arose and began to investigate for possible injuries. Finding none, with the exception of a slight abrasion on the chin, he carefully flied the dust from his clothes and walked away, declining the aid of a physician who arrived on the scene, having learned of the accident while passing in an automobile.

Archer is the second man within a week to fall four stories and escape without injury.

T. L. ODDIE TO LEAVE SUNDAY TO TOUR STATE

**WILL MAKE CAMPAIGN IN HIS
FAMOUS "SAWED-
OFF AUTO."**

Governor T. L. Oddie has completed the first step in his itinerary for the coming campaign, which will include practically every camp in the state. For the past week his "sawed-off auto" has been in the hospital undergoing repairs and is now in fine condition. The gubernatorial candidate, accompanied by James Buchanan and the latter's thirteen-year-old son, will leave in the morning for Millers, Sodaville and Mina. From the last named place the route will include Hawthorne, Lucky Boy, Fletcher, Yerington, Mason, Schurz, Rawhide, Fairview, Dayton, Virginia City, Carson, Minden, Genoa, Gardnerville and Reno. Mr. Oddie has a strenuous journey ahead of him and calculates to be in Carson by the 26th, when the candidates of both parties are to meet and formulate the party platforms.